

From: [Cermak, John F.](#)
To: [Axe, Al](#); [Foster, Anne](#)
Cc: ["Steve.Ginski@IPaper.com"](#); [Miller, Garyg](#); [Inglin, Sonja A.](#)
Subject: RE: San Jacinto Meeting 2/3
Date: Thursday, February 04, 2016 9:30:03 AM

I will send out a call-in number.

From: Axe, Al [<mailto:aaxe@winstead.com>]
Sent: Thursday, February 04, 2016 7:13 AM
To: Cermak, John F.; Foster, Anne
Cc: 'Steve.Ginski@IPaper.com'; Miller, Garyg; Inglin, Sonja A.
Subject: RE: San Jacinto Meeting 2/3

John/Anne,

That time works for me. Is there going to be a call in number? Thanks. Al

Albert R. Axe, Jr.

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512.370.2806 *direct* | 512.370.2850 *fax* | aaxe@winstead.com | www.winstead.com
profile link: <http://www.winstead.com/Attorneys/aaxe>

From: Cermak, John F. [<mailto:jcermak@bakerlaw.com>]
Sent: Wednesday, February 03, 2016 3:24 PM
To: Foster, Anne
Cc: 'Steve.Ginski@IPaper.com'; Axe, Al; Miller, Garyg; Inglin, Sonja A.
Subject: RE: San Jacinto Meeting 2/3

Anne:

I checked with Steve on his schedule. How about a call tomorrow morning at 10 AM Central time?

Thank you.

John

From: Cermak, John F.
Sent: Wednesday, February 03, 2016 11:43 AM
To: 'Foster, Anne'; Inglin, Sonja A.
Cc: Axe, Al; Miller, Garyg
Subject: RE: San Jacinto Meeting 2/3

Anne:

I am free tomorrow from 11:30 AM Central to 3 PM Central time.

Regards

John



9682529

From: Foster, Anne [<mailto:Foster.Anne@epa.gov>]
Sent: Wednesday, February 03, 2016 9:11 AM
To: Cermak, John F.; Inglin, Sonja A.
Cc: Axe, Al; Miller, Garyg
Subject: RE: San Jacinto Meeting 2/3

John,

There is no EPA policy about linking in additional parties by phone at meetings with the Agency, but our management did not feel it appropriate for this meeting, which it understood would be a face to face meeting with representatives of IP. This is not specific to your client; MIMC also inquired about listening to the meeting by phone, and we also denied that request.

I generally do not attend meetings between the technical representatives of EPA and PRPs, but in this case your client requested a meeting with the Division Director. An attorney often will be present at meetings between the Division Director and outside parties.

I will be happy to contact you about today's meeting, but it probably will not be until tomorrow morning. Please let me know what times would be convenient for you.

Thanks,

Anne

From: Cermak, John F. [<mailto:jcermak@bakerlaw.com>]
Sent: Wednesday, February 03, 2016 10:42 AM
To: Foster, Anne
Cc: Axe, Al; Miller, Garyg; Inglin, Sonja A.; 'Steve.Ginski@IPaper.com'
Subject: RE: San Jacinto Meeting 2/3

Anne:

International Paper's technical representatives will obviously proceed with this meeting.

I did not take from our conversation that EPA did not want a phone link. Is this a change in EPA policy? Will this apply to future meetings with EPA? Also, will this apply to other parties with whom EPA has communications on this site?

We would appreciate a call from you after the meeting to get an update on the meeting.

Thank you.

John

From: Foster, Anne [<mailto:Foster.Anne@epa.gov>]
Sent: Wednesday, February 03, 2016 7:55 AM
To: Cermak, John F.
Cc: Axe, Al; Miller, Garyg; Inglin, Sonja A.; 'Steve.Ginski@IPaper.com'
Subject: RE: San Jacinto Meeting 2/3

John,

As I said when we talked yesterday, we are not comfortable with having a phone link to today's meeting about the site. If your client needs to reschedule, please let me know.

Thanks,

Anne

From: Cermak, John F. [<mailto:jcermak@bakerlaw.com>]
Sent: Tuesday, February 02, 2016 3:29 PM
To: Foster, Anne
Cc: Axe, Al; Miller, Garyg; Inglin, Sonja A.; 'Steve.Ginski@IPaper.com'
Subject: RE: San Jacinto Meeting 2/3

Anne:

Thank you for your E-mail. International Paper has no concern regarding your attendance of the meeting. Please confirm the call-in number for Steve Ginski to listen in on the meeting.

Thank you again for your help. We will be following up with you shortly on the expedited work and anticipate that this will be discussed tomorrow.

Regards.

John

From: Foster, Anne [<mailto:Foster.Anne@epa.gov>]
Sent: Tuesday, February 02, 2016 1:04 PM
To: Cermak, John F.; Inglin, Sonja A.
Cc: Axe, Al; Miller, Garyg
Subject: San Jacinto Meeting 2/3

John,

Thank you for talking with me this morning. Last week I told Sonja I intended to be present at tomorrow's meeting with IP representatives just to listen, but after you expressed concerns this morning, I said that I would check with Carl and perhaps not attend. However, after discussion with Carl this afternoon, I wanted to let you know that I do plan to attend tomorrow's meeting.

I also spoke with you about the possibility of IP and MIMC doing some expedited work to keep barges away from the cap. The Corps is apparently preparing recommendations on this issue, and so I'm not sure what the timing for additional measures will be. Any agreed-upon additional protective measures could be considered post-removal site controls, and so would be covered by the existing consent order (and not require a separate order).

Thanks again,

Anne



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